

AUG. 9. 2004 6:42PM

BROWDY AND NEIMARK

NO. 5732 P. 1

RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Beka SOLOMON  
Application No.: 09/441,140  
Filed: November 16, 1999  
For: PREVENTION OF PROTEIN AGGREGATION

Art Unit: 1642  
Examiner, S. Ungar  
Washington, D.C.  
Atty.'s Docket: SOLOMON-14  
Date: August 9, 2004

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THE COMMISSIONER OF PATENTS  
2011 South Clark Place, Mail Stop  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

VIA TELEFACSIMILE

Sir:

Transmitted herewith is a (X) Amendment (X) Exhibits A, B, C, D  
in the above-identified application.  
[ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.  
[XX] No additional fee is required.  
[ ] The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE	
TOTAL	* 22	MINUS	** 89	0	x 9	\$		x 18	\$	
INDEP.	* 4	MINUS	*** 28	0	x 43	\$		x 86	\$	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+	145	\$	+	290	\$
					ADDITIONAL FEE TOTAL			TOTAL		\$

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(e). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity Response Filed Within	Other Than Small Entity Response Filed Within
[ ] First - \$ 55.00	[ ] First - \$ 110.00
[ ] Second - \$ 210.00	[ ] Second - \$ 420.00
[ ] Third - \$ 475.00	[ ] Third - \$ 950.00
[ ] Fourth - \$ 740.00	[ ] Fourth - \$ 1480.00
Month After Time Period Set	Month After Time Period Set

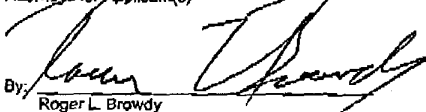
[ ] Less fees (\$ \_\_\_\_\_) already paid for \_\_\_\_\_ month(s) extension of time on \_\_\_\_\_.

- [ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.
- [ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ \_\_\_\_\_.
- [ ] A check in the amount of \$ \_\_\_\_\_ is attached (check no. \_\_\_\_\_).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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Atty. Docket: SOLOMON=1R  
 In re Application of: ) Conf. No.: 3910  
 Beka SOLOMON ) ) Art Unit: 1647  
 Appln. No.: 09/441,140 ) ) Examiner: C. Nichols  
 Filed: November 16, 1999 ) ) Washington, D.C.  
 For: PREVENTION OF PROTEIN ) ) August 9, 2004  
 AGGREGATION ) )

AMENDMENT

U.S. Patent and Trademark Office  
 2011 South Clark Place  
 Customer Window, Mail Stop Amendment Non-Fee  
 Crystal Plaza Two, Lobby, Room 1B03  
 Arlington, Virginia 22202

Sir:

In response to the Office Action of June 10, 2004,  
 please amend as follows:

IN THE SPECIFICATION

Please replace the paragraph beginning at column 11,  
 line 20, with the following:

Amyloid peptides, A $\beta$  1-40 (Cat. No. A-5813) and A $\beta$   
 1-28 (Cat. No. [A-1084] A-0184) corresponding to amino acids  
 1-40 and 1-28 of A $\beta$  respectively, were purchased from Sigma  
 Chemical Co., St. Louis, Mo., USA).

IN THE CLAIMS

1. A method of selecting an anti-aggregation  
 molecule having the chaperone-like activity of anti-  
 aggregation, wherein the anti-aggregation molecule is selected  
 from the group consisting of a monoclonal antibody, a